

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

TODD WARREN ALTSCHUL §
VS. § CIVIL ACTION NO. 1:05cv659
STATE OF TEXAS §

MEMORANDUM OPINION REGARDING VENUE

Petitioner Todd Warren Altschul, an inmate confined in the Eastham Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Discussion

Petitioner complains of convictions in the 23rd District Court of Brazoria County, Texas.

Pursuant to 28 U.S.C. § 2241(d), a petitioner may bring his petition for writ of habeas corpus in the district in which he was convicted or the district in which he is incarcerated. Section 2241(d) further provides that the district court in the exercise of its discretion may transfer the action to the other district in the furtherance of justice.

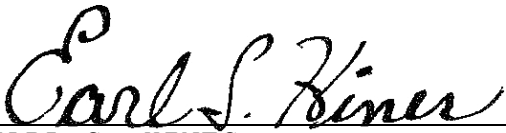
Petitioner was convicted in Brazoria County, Texas.

Pursuant to 28 U.S.C. § 124, Brazoria County is in Galveston Division of the Southern District of Texas. As all records and witnesses involving this action may be located in the Southern District, the transfer of this action to such district would further justice.

Accordingly, this case should be transferred to the

Galveston Division of the United States District Court for the Southern District of Texas. A Transfer Order shall be entered in accordance with this Memorandum Opinion.

SIGNED this 27 day of October, 2005.



EARL S. HINES
UNITED STATES MAGISTRATE JUDGE